

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BERNADINO PEREZ MENDEZ,

Defendant.

NO. CR16-287JLR

**[PROPOSED] ORDER CONTINUING
TRIAL DATE AND PRETRIAL
MOTIONS DEADLINE**

per

THE COURT, having considered the Stipulated Motion to Continue Trial Date and Deadline to File Pretrial Motions, the previous continuance motion (Dkt. #161), any responses, supplements, filings, or memoranda related thereto, and all the files and records herein, the Court finds as follows:

1. The facts and circumstances are as set forth in the Stipulated Motion to Continue Trial Date and Deadline to File Pretrial Motions and the previous continuance motion (Dkt. #161);
2. Failure to grant a continuance in this case will deny counsel the reasonable time necessary for effective preparation of trial and other pretrial proceedings, taking into account the exercise of due diligence;

3. Failure to grant a continuance would likely result in a miscarriage of justice, and the case is complex due to such factors as the number of defendants;

4. The ends of justice served by granting this continuance outweigh the best interest of the public and the defendants in a speedy trial;

5. All these findings are made within the meaning of 18 U.S.C. § 3161(h)(7)(A) and (B)(i), (ii) and (iv);

6. The period of time from the filing date of this Stipulated Motion to Continue Trial Date and Deadline to File Pretrial Motions until the new trial date, set forth below, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

IT IS THEREFORE ORDERED that:

7. The trial in this matter is continued to September 25, 2017, and joined with the co-defendants in this matter.

8. Pre-trial motions are due no later than July 17, 2017.

9. The defendants shall immediately file with the Court a waiver of rights under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, through the aforementioned trial date, consistent with this Order.

DONE this 19th day of December, 2016.


HON. JAMES L. ROBERT
United States District Court

Presented by:

s/ Steven T. Masada
STEVEN T. MASADA
Assistant United States Attorney